

REMARKS/ARGUMENTS

Claims 1-49 remain pending in the present application. By this Amendment, claims 6 and 28 are amended.

For at least the reasons set forth below, Applicant believes that all claims are now in condition for allowance.

35 U.S.C. § 112, Second Paragraph Rejection

The Office Action rejects claim 6 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 is hereby amended to overcome the asserted deficiency. Withdrawal of the pending rejection under 35 U.S.C. §112 is respectfully respected.

35 U.S.C. § 102(e) Rejections

Claims 1-47 currently stand rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,317,599 (Rappaport). The Office Action alleges that each and every limitation of the claimed inventions are shown in Rappaport. Based on at least the reasons set forth below, Applicant respectfully traverses the assertions set forth in the rejection.

Rappaport teaches a system for modeling and planning in a wireless network. Claim 1 recites “a plurality of access points coupled to send and receive data packets from the server.” Rappaport discloses “watch points” but does not teach or disclose sending and receiving data packets between a server and access points. Rappaport further fails to teach or disclose that the watch points are “coupled” to a server. Instead, Rappaport discloses a plurality of watch points that are modeled on a computer but provides no information sufficient to determine how information is transmitted between the watch points and the computer. The specification notes that in conventional wireless LAN systems “each access point is coupled to interface with an “infrastructure” network

such as an Ethernet network.” Specification ¶ 04. Rappaport does not disclose how and to what the watch points are coupled. Thus, Rappaport does not teach or disclose sending and receiving data packets between a server and access points.

Accordingly, applicant respectfully submits that Rappaport fails to teach each and every limitation recited in the independent claims. In particular, the references fail to disclose or suggest at least the following limitations from independent claims 1, 14, 19, 28 (as amended), 34, 38, and 43.

With respect to claim 1, the references fail to disclose at least the “*a plurality of access points coupled to send and receive data packets from the server....*”

With respect to the amended claim 14, the references fail to disclose at least “*a plurality of access points coupled to receive the data packets from the server....*”

With respect to claim 19, the references fail to disclose at least the limitations of: “*a data collection module to collect data sent from the access points....*”

With respect to claim 28, the references fail to disclose at least the limitations of: “*sending data packets through the wireless network to the server....*”

With respect to claim 34, the references fail to disclose at least the limitations of: “*sending a request signal from the portable computer to the network server via the access points....*”

With respect to claim 38, the references fail to disclose at least the limitations of: “*a client that is wirelessly coupled to a server via access points....*”

With respect to claim 43, the references fail to disclose at least the limitations of: “*a client that is wirelessly coupled to a server via access points....*”

Pending claims 2-13, 15-18, 20-33, 35-37, 39-42 and 44-47 are dependent upon one of independent claims 1, 14, 19, 28, 34, 38, and 43. Thus, because claims 1, 14, 19, 28, 34, 38, and 43 are patentable over Rappaport as discussed above, claims 2-10, 12, 14-18 and 20-21 also should be allowable at least by virtue of their dependency on one of the

independent claims. Moreover, these claims recite additional limitations that are not disclosed by the cited references, either alone or in combination.

For at least the above reasons, Applicants respectfully submit that all claims 1-47 are in condition for allowance and respectfully request the withdrawal of all pending rejections of these claims and timely issuance of a Notice of Allowability.

35 U.S.C. § 103(a) Rejections

Claims 48 and 49 currently stand rejected under 35 U.S.C. § 103(q) as being unpatentable over U.S. Patent No. 6,317,599 (Rappaport) in view of U.S. Patent No. 6,480,497 (Flammer). The Office Action alleges that each and every limitation of the claimed inventions are shown in Rappaport in view of Flammer. Based on at least the reasons set forth below, Applicant respectfully traverses the assertions set forth in the rejection.

Flammer does not disclose "*a client that is wirelessly coupled to a server via access points....*" As noted above, neither does Rappaport. For at least those reasons, Applicants respectfully submit that claims 48 and 49 are in condition for allowance and respectfully request the withdrawal of all pending rejections of these claims and timely issuance of a Notice of Allowability.

CONCLUSION

In view of the foregoing amendments and arguments, Applicants respectfully submit that this application is now in condition for allowance. If the Examiner believes that prosecution and allowance of the application will be expedited through an interview, whether personal or telephonic, the Examiner is invited to telephone the undersigned with any suggestions leading to favorable disposition of the application.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Date: April 26, 2005

By:


Bryan F. Moore
Registration No. 52,044

Hunton & Williams LLP
Intellectual Property Department
1900 K Street, N.W.
Suite 1200
Washington, DC 20006-1109
(202) 955-1500 (telephone)
(202) 778-2201 (facsimile)

BFM/mia